



BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2009-1017; FRL-9916-69]

Product Cancellation Order for Certain Pesticide Registrations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's order for the cancellations, voluntarily requested by the registrants and accepted by the Agency, of the products listed in Table 1 of Unit II., pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). This cancellation order follows an August 6, 2014 **Federal Register** Notice of Receipt of Requests from the registrants listed in Table 2 of Unit II. to voluntarily cancel these product registrations. In the August 6, 2014 notice, EPA indicated that it would issue an order implementing the cancellations, unless the Agency received substantive comments within the 30 day comment period that would merit its further review of these requests, or unless the registrants withdrew their requests. The Agency did not receive any comments on the notice. Further, the registrants did not withdraw their requests. Accordingly, EPA hereby issues in this notice a cancellation order granting the requested cancellations. Any distribution, sale, or use of the products subject to this cancellation order is permitted only in accordance with the terms of this order, including any existing stocks provisions.

DATES: The cancellations are effective [*INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER*].

FOR FURTHER INFORMATION CONTACT: John W. Pates, Jr., Pesticide Re-Evaluation Division (7508P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania

Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8195; email address: pates.john@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action.

B. How Can I Get Copies of this Document and Other Related Information?

The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2009-1017, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave., NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

II. What Action is the Agency Taking?

This notice announces the cancellation, as requested by registrants, of products registered under FIFRA section 3. These registrations are listed in sequence by registration number in Table 1 of this unit.

Table 1.--Product Cancellations

| EPA Registration Number | Product Name | Chemical Name |
|--------------------------------|--|---|
| 000100-00729 | Primo® Liquid | Trinexapac-ethyl |
| 000100-00752 | Primo® WSB | Trinexapac-ethyl |
| 000279-09556 | Intruder Residual Cylinder with Cyfluthrin | Piperonyl butoxide, pyrethrins (No inert use), and cyfluthrin |
| 003546-00041 | Shoo-fly Flying Insect Killer | Permethrin, piperonyl butoxide, and pyrethrins (No inert use) |
| 010807-00127 | Misty Insect Repellent II | MGK 264, MGK326, and diethyl toluamide |
| 046386-00002 | Prometrex Technical | Prometryn |
| 053883-00241 | CSI Wipe & Spray Insecticide | Stabilene, piperonyl butoxide, and pyrethrins (No inert use) |
| 053883-00295 | CSI Folpet Technical | Folpet |
| 053883-00301 | CSI Folpet MUP | Folpet |
| 062719-00601 | Acetochlor Technical | Acetochlor |
| 071711-00022 | AC 801,757 Miticide-Insecticide | Tebufenpyrad |
| 071711-00023 | AC 801,757 3EC Miticide-Insecticide | Tebufenpyrad |
| ME-080001 | Nexter | Pyridaben |
| PR-130002 | IMI 1% G Insecticide | Imidacloprid |
| PR-140001 | Quali-pro Imidacloprid 1G Nursery & Greenhouse Insecticide | Imidacloprid |
| WA-860025 | Drexel Dimethoate 2.67 EC | Dimethoate |

Table 2 of this unit includes the names and addresses of record for all registrants of the products in Table 1 of this unit, in sequence by EPA company number. This number corresponds to the first part of the EPA registration numbers of the products listed in Table 1 of this unit.

Table 2.--Registrants of Cancelled Products

| EPA Company Number | Company Name and Address |
|---------------------------|---------------------------------|
| 100 | Syngenta Crop Protection, LLC |

| | |
|--------------------|---|
| | 410 Swing Rd. P.O. Box 18300 Greensboro, NC 27419-8300 |
| 279 | FMC Corp. Agricultural Products Group 1735 Market St. Rm. 1978 Philadelphia, PA 19103 |
| 3546 | Lynwood Labs, Inc. 945 Great Plain Ave. Needham, MA 02492-3004 |
| 10807 | Amrep, Inc. Agent: Zep, Inc. c/o Compliance Services 1259 Seaboard Industrial Blvd., NW. Atlanta, GA 30318 |
| 46386 | Verolit Chemical Manufacturers, LTD c/o/ Makhteshim-Agan of North America, Inc. Agent: Makhteshim-Agan of North America, Inc. 3120 Highwoods Blvd., Suite 100 Raleigh, NC 27604 |
| 53883 PR-130002 | Control Solutions, Inc. 5903 Genoa Red Bluff Rd. Pasadena, TX 77507-1041 |
| 62719 | Dow Agrosciences, LLC 9339 Zionsville Rd., 308/2E Indianapolis, IN 46268-1054 |
| PR-140001 | Makhteshim Agan of North America, Inc. d/b/a ADAMA 3120 Highwoods Blvd., Suite 100 Raleigh, NC 27604 |
| 71711 | Nichino America, Inc. Agent: Exponent, Inc. 1150 Connecticut Ave., NW., Suite 1100 Washington, DC 20036 |
| ME-080001 | Gowan Company P.O. Box 5569 Yuma, AZ 85366 |
| WA-860025 | Drexel Chemical Company P.O. Box 13327 Memphis, TN 38113-0327 |

III. Summary of Public Comments Received and Agency Response to Comments

During the public comment period provided, EPA received no comments in response to the August 6, 2014 **Federal Register** notice (79 FR 45803) (FRL-9914-36) announcing the

Agency's receipt of the requests for voluntary cancellations of products listed in Table 1 of Unit II.

IV. Cancellation Order

Pursuant to FIFRA section 6(f), EPA hereby approves the requested cancellations of the registrations identified in Table 1 of Unit II. Accordingly, the Agency hereby orders that the product registrations identified in Table 1 of Unit II. are canceled. The effective date of the cancellations that are the subject of this notice is *[insert date of publication in the **Federal Register**]*. Any distribution, sale, or use of existing stocks of the products identified in Table 1 of Unit II. in a manner inconsistent with any of the provisions for disposition of existing stocks set forth in Unit VI. will be a violation of FIFRA.

V. What is the Agency's Authority for Taking this Action?

Section 6(f)(1) of FIFRA provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be canceled or amended to terminate one or more uses. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**. Thereafter, following the public comment period, the EPA Administrator may approve such a request. The notice of receipt for this action was published for comment in the **Federal Register** of August 6, 2014. The comment period closed on September 5, 2014.

VI. Provisions for Disposition of Existing Stocks

Existing stocks are those stocks of registered pesticide products which are currently in the United States and which were packaged, labeled, and released for shipment prior to the effective date of the cancellation action. The existing stocks provisions for the products subject to this order are as follows.

The registrants may continue to sell and distribute existing stocks of products listed in Table 1 of Unit II. until *[INSERT DATE 1 YEAR AFTER PUBLICATION OF THE CANCELLATION ORDER IN THE **FEDERAL REGISTER]***, which is 1 year after the publication of the Cancellation Order in the **Federal Register**. Thereafter, the registrants are prohibited from selling or distributing products listed in Table 1 of Unit II., except for export in accordance with FIFRA section 17, or proper disposal. Persons other than the registrants may sell, distribute, or use existing stocks of products listed in Table 1 of Unit II. until existing stocks are exhausted, provided that such sale, distribution, or use is consistent with the terms of the previously approved labeling on, or that accompanied, the canceled products.

Authority: 7 U.S.C. 136 *et seq.*

Dated: September 12, 2014.

Richard P. Keigwin, Jr.,

Director, Pesticide Re-Evaluation Division, Office of Pesticide Programs.

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